IN THE HIGH COURT OF JUDICATURE AT BOMBAY

A.S

Writ Petition No.705 of 2005

Dinkar N Wankhede ..Petitioner

vs

Union of India and ors..Respondents

Mr. Rahul Walia for petitioner

CORAM: A.P.SHAH & D.Y.CHANDRACHUD JJ

Dated 13.6.2005

P.C:

. Heard advocate for the petitioner. Perused the order of the tribunal. The petitioner is seeking a direction that his name be included in the panel to the post of Asst Elec. Engineer - AEE declared on 3l.5.l996 and 4.4.l997. Original Application was filed on 3l.5.2003 long after the period of limitation expired. The petitioner did not challenge his non-selection in l996 or l997. He retired from service with effect from 3l.8.l998. Under the circumstances the tribunal has rightly held that the Original Application suffers from gross delay and laches and subsequent judgment in Mithania's case does not revive the cause of action or give fresh cause of action to the petitioner to challenge the selection which is already barred by limitation. Moreover granting of any relief would necessarily involve the adjudication on the right

of those persons who have been promoted since l996, who have not been impleaded in the Original Application. In the circumstances no interference is called for with the order of the tribunal. Petition is dismissed.